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A FINE POINT SPECIAL

WITH

RALPH ADAM FINE

AND

DAVID BELIN

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MR. FINE: Okay. We have another question here.

MAN: I'd like to know what your specialty of law is.

MR. BELIN: I started out as a trial lawyer trying lawsuits in civil cases. Virtually no experience in criminal matters. The other lawyer working with me in what we called Area Two, which involved the determination of who killed President Kennedy and who killed Officer Tippit, was one of the outstanding trial lawyers on the west coast, Joseph Ball, who is one of the outstanding defense criminal lawyers on the west coast as well as a lecturer in criminal law at the Southern California Law School. And by the way, you might be interested to know that Joe Ball said that in all of his courtroom experience, that he had never come across a more open and shut case than the murder of Tippit, so far as Oswald being the gunman was concerned.

MR. FINE: You have a question?

MAN: Yes. I wanted to know how, specifically, you were appointed to the Commission. You had stated now that you had been appointed in January. And I've seen you do a talk show here before and I'd like to make...

MR. FINE: Not in Milwaukee, I don't think.

MAN: Sure, he was on this station with you, with Jim Garrison, I believe.

MR. FINE: No, no. That was Professor Wrone from the University of Wisconsin-Stevens Point. They look a little bit the same.

MAN: Well, I've seen you...

(Laughter)

MR. FINE: Okay, I didn't hear...

MR. BELIN: I feel sorry for him.

(Laughter)

MR. FINE: This is your first appearance in Milwaukee?

MR. BELIN: This is my first appearance on any non-network television program outside of Des Moines. And I did that only because I, I guess I wanted to have an opportunity to be on a hour and a half program. I've been on a hour program with William Buckley, Jr., on "Firing Line." And I think it's helpful to have some time. But, you know, your case of mistaken identity, by the way, is a vivid example of why there's so much confusion about the Warren Commission findings.

Now, you ask as to why I was appointed to the Warren Commission. That's an interesting story. I remember the day because it was December 31, 1963, and I got a call from someone who was familiar with my academic record at the University of Michigan Law School. And I happen to have had a very fine academic record; you may not believe it after hearing me tonight. But they asked whether or not I would be interested in serving as counsel to the Warren Commission. And, you know, you can visualize yourself, I was, had been in practice nine years or so, but here was the crime of the century, and I said, "Of course I would be." And they said, "Send a resume' and a list of references." Which I did. And ten days later, I had no other contact, ten days later I got a telegram saying, "Would you please come to Washington?" Which I did.

MR. FINE: Okay. We have another question here.

MAN: Yes. I would think that anybody who has watched the, anybody who has watched the Zapruder film would be quite certain that Jacqueline Kennedy would probably be in the best position to ascertain the wounds of the President. Yet on June 5, 1964 when she was interviewed by the Warren Commission, Chief Justice Earl Warren, Lee J. Rankin and Bobby Kennedy who were present at that meeting, all three of them and everyone else who questioned her, no one asked her any questions about the wounds at all. Yet she then went forward and made statements about the wounds, and all of those statements were withheld. And I believe the markings that are now in the records are that they have been withheld and they're in the National Archives. (Garbled)

MR. FINE: Okay. What about that, another...

MR. BELIN: Well, the question...

MR. FINE: Another, another example of what people think may be a coverup.

MR. BELIN: Yes, yes. And I think that that's a very legitimate question to ask. I guess almost all questions, I guess, are legitimate questions. I can tell you psychologically why Chief Justice Warren did not go into details, and that's the fact he was a very sensitive human being, and to question a widow whose husband has been murdered with his head falling into her lap and his brains literally falling out in her hands, he did not want to have her go through the trauma of that. Now, it's true that at his direction, for matters of taste, those remarks were deleted. I think it was a mistake on the part of Chief Justice Warren. It happens that they are now available for all to see in the Archives. So, the information is there. And...

MR. FINE: At one point she said that Governor Connally was squealing like a pig, I guess.

MR. BELIN: I think that she did, and also, by the way, she said she only remembered two shots, if memory serves me correctly. In my book I included all of her testimony because it was a very sensitive situation and I don't think any of those remarks should have been deleted.

MR. FINE: Okay. We have to take a commercial break, David.

MR. BELIN: I objected to the fact that she was treated differently from the widow of Officer Tippit. Pardon me.

MR. FINE: Okay. Thank you. We have to take a commercial break.

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MAN: Okay. I think that it's very important to look quickly at Oswald's background, which is that he was a cryptologist and he was a radar man with top-secret clearance through the marines. He then got training through the Atsugi base in Japan and also Subic Bay in the Philippines where both were used for launching U-2 planes. There was a document in the National Archives, Commission Document 931 which is called "Oswald's access to the U-2 Information" which was classified top-secret. That information plus all the information that Garrison collected in New Orleans connecting Oswald to the intelligence community clearly shows that Oswald was an intelligence agent for the United States and was probably becoming a counter-intelligence agent for the United States. Don't you find it peculiar that a counter-intelligence agent for the United States would wind up killing the President of the United States?

MR. FINE: Okay. Thank you. David?

MR. BELIN: Well, first of all, your statement is absolutely wrong when you say that that evidence clearly shows that Oswald was an intelligence or counter-intelligence agent for the United States because he was not. Oswald was a man with suicidal tendencies, a very, and he actually tried to commit suicide in the Soviet Union. He was the antithesis of what you might want to have for your intelligence agent. But the fact that you are suspicious about that, and people are suspicious, is one of the reasons why I have asked the Archives and the CIA to release everything to the American public.

I want to finish up answering one question that I didn't ask earlier is to what happens to the royalties of my book. I have set aside and donated to charity not only all of the royalties from my book but also I have accepted a limited number of college speaking engagements, you can get rich on the college circuit, and I've turned those funds all over also. I might add, by the way, that one of the most disturbing things I've seen on college campuses is that centers of learning, and the University of Wisconsin which is one of the great centers of learning in this country, are probably symptomatic

of this, as that it's very easy to get a college audience, invite people to speak attacking the Warren Commission or attacking government. But they will not go and spend the same money to get someone which would defend the Warren Commission. It might be a very interesting question for this news station to find out, is how many speakers have been to the University of Wisconsin attacking the Warren Commission; how much money has been paid to these people; and how much speakers, how many speakers have been invited to present a contrary view. And it makes no financial difference to me because first of all I've not accepted...

MR. FINE: Okay.

MR. BELIN: ...very many of these, and secondly, I've turned the money over to charity.

MR. FINE: Let's get a question from the folks at home.  
Hello, you're on the air.

MAN: I would like to know where was Jack Ruby the day of the assassination.

MR. FINE: Okay. Thank you, sir.

MR. BELIN: At the time of the assassination Jack Ruby was in the, I believe, at one of the Dallas newspapers with regard to placing an ad for his supper club. But the Warren Commission Report outlines Jack Ruby's activities on the day of the assassination, and I think if you'd care to get a copy of that report and read it, get it from the library, I think that that could give you the best information on it.

MR. FINE: Okay. Let's get another question.  
Hello, you're on the air.

MAN: Yeah. I have one question.

MR. FINE: Shoot.

MAN: When he talks about the Kennedy shot from behind, why is it that the policeman on the cycle riding behind Kennedy said that he felt as though he had been hit by pins and needles, which we later see was fragments of skull. And also, they found brain tissue directly behind the car, and at such a distance that it didn't just fall out of the car. How is that possible?

MR. FINE: Okay. What's your response to that?

MR. BELIN: If you examine that Zapruder film frame 313 you'll see, actually, the brain tissue basically goes forward to the front. But the real

evidence is not what some policeman says he felt or what have you, but the fact that the x-rays of President Kennedy's skull conclusively show that he was shot from behind.

MR. FINE: Okay. We have a question here.

MAN: Yeah. In response to, earlier Mr. Belin had indicated that the Warren Commission should be reopened. I'm wondering in terms of, especially with Watergate recently, what it would do for national security 'cause that was the biggest concern that, when the Warren Commission was established.

MR. FINE: Okay. That's a very good question. What if we find out that Castro had Kennedy killed? Is that worthy of covering up? What would that do to national security?

MR. BELIN: First of all, I think the most important thing we can do is to rebuild credibility and trust in government. And so, therefore, I think that to the extent that the Warren Commission reopening by congress would confirm the conclusions of the Warren Commission that Oswald was the sole gunman that killed Kennedy, President Kennedy, Officer Tippit, I think that's worthwhile. Secondly, so far as the question of a Castro conspiracy, I have not commented tonight, and will not comment publicly until after the election, whatever personal thesis I have or don't have concerning that question.

MR. FINE: Which question, sir?

MR. BELIN: The question of a possible Castro conspiracy.

MR. FINE: Well, if there's a possible Castro conspiracy, doesn't that vitiate the findings of the Warren Commission that Oswald acted alone?

MR. BELIN: It doesn't vitiate the conclusion of the Warren Commission that Oswald was the sole gunman that killed President Kennedy and Officer Tippit. And you, if you have, if you have,...

MR. FINE: I discern a negative pregnant there.

MR. BELIN: ...if you have listened to me carefully tonight, and if you, if I were to read my statement that I issued on November 22, what my job was was to determine who killed the President, so far as to who the gunman or gunmen, who killed President Kennedy and Officer Tippit.

MR. FINE: So you're leaving open, you're leaving open tonight...

MR. BELIN: I am not,...

MR. FINE: ...the possibility...

MR. BELIN: I am not commenting...

MR. FINE: ...that there might have been a conspiracy.

MR. BELIN: ...one way or the other tonight concerning whether or not there was or wasn't a Castro conspiracy.

MR. FINE: Okay. But using the word that Oswald was the gunman and leaving it at that, you're leaving the implication that perhaps other people were involved.

MR. BELIN: I'm not leaving an implication one way or the other. I'm saying I'm very clearly limiting what I've said here tonight, and I'm not gonna comment on any question of Castro conspiracy, at least not at this time.

MR. FINE: At least you're leaving the door open.

MR. BELIN: I'm saying the Warren Commission...

(Laughter)

MR. BELIN: ...findings that I'm here to discuss tonight pertain to who killed the President.

MR. FINE: Not whether he acted alone or not.

MR. BELIN: I'm suggesting that I'm not commenting whether he did or didn't.

MR. FINE: Okay. But you're leaving it open.

MR. BELIN: It's a possibility that he did.

MR. FINE: Okay.

MR. BELIN: It's a possibility that he didn't.

MR. FINE: Alright. Let's get a very quick question here, about five, ten...

MAN: Just shortly after the assassination I heard some rumors that the original motorcade route was altered to go in front of the Book Depository. Is there any evidence to prove that?

MR. BELIN: No. The idea of the motorcade route was basically an outgrowth of this being a political trip to maximize the President's exposure in Texas because he had narrowly won Texas in 1960, and then if you went through the heart of downtown Dallas and then went to the Trade

Mart, this was the logical route to get there, in front of the School Book Depository Building.

MR. FINE: Okay. David Belin, thank you so much for joining us. Thank you for taking time out of your very busy life, very busy practice and very close family life to come to Milwaukee to be with us tonight. We deeply appreciate it, and I hope, the ninety minutes went all too fast, but I hope that we did have some opportunity to perhaps get your views across.

Thank you also for joining us, and join us next Sunday night at 10:30, we're going to talk about flying saucers.

Have a good evening.

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(LAUGHTER)

MR. FINE: Alright.

You're on the air. Can we have your question, please?

MAN: Yes. I'd like to know why the Warren investigation committee never secured the Zapruder tapes.

MR. BELIN: Well, I...

MR. FINE: Thank you, sir.

MR. BELIN: The question is why the Warren Commission didn't secure the Zapruder tapes. I'll have to tell you a little story about that. I don't think that's even in the book.

MR. FINE: (Agreeing) Uh-huh.

MR. BELIN: The Zapruder film was purchased by Time-Life, and they sent down, they made a couple of copies, and they sent it down to the Warren Commission. And the copy wasn't as good as the original and I complained very loudly that we should have the original. And Time-Life didn't want to let it go, and so I finally said that if they don't want to let it go, I knew someone in Look Magazine which at that time was published. And I would let them know that Life Magazine was withholding evidence from the Warren Commission. Well, they eventually did turn over the original film that was clearer, and they did provide us with slides from the original film. And so we had the Zapruder film.

MR. FINE: Okay, let me get a question from the audience back here. I think there was somebody who had a question. Could you stand up, please?

MAN: I believe you stated that the Warren Commission had no evidence at all to believe that Jack Ruby had anything to do with any kind of conspiracy, correct?

MR. BELIN: I said that they found no credible evidence to show that Jack Ruby, there was a lot of evidence that, you know, of people would say, you know, "I saw these two men together," or this rumor would come or that rumor would come but everytime you checked something down you eventually came to the conclusion that Jack Ruby told the truth when he said that he did not know Oswald and that the reason he shot Oswald was to, well, I can take three or four minutes to tell you why if you're interested in knowing...

MR. FINE: Well, let's hear the question first; maybe it'll...

MR. BELIN: Go ahead.

MR. FINE: ...refer to the answer.

MAN: How did Jack Ruby, I really would like to know how Jack Ruby got down inside the Dallas police station under heavy security, I believe it would be heavy security for a man who just had assassinated President. What, did the Warren Commission ever go after that? How'd he ever get in there with a gun? I mean, I could never get into a police station with a gun.

MR. FINE: Milwaukee's a little bit different than Dallas, I guess. They...

(LAUGHTER, APPLAUSE)

MR. FINE: Okay. It was, one of the points I think we all agree on is that security was very lax in Dallas during that period of time. You agree with that, don't you?

MR. BELIN: Yes, it was lax. As a matter of fact I'll try and respond to that in a sense, part of it, I remember one police officer telling about how the press were at the time, and he used a great analogy. He said that if you've ever slopped hogs, and know how you toss a bucket of slop and the hogs all run, that's the way the press was at the Dallas police station. And in fairness to the Dallas police, and they did not perform very well, but the press happen to bait the Dallas police, because as soon as the Dallas police, at least this is what the Police Chief said, I don't know if it's true at all or not, but he said he was caught between the rock and a hard place; that if he kept the press out they would say, "Aha! You're trying to keep something from us." If you let the press come in it create a pandemonium. I think that the reason that Ruby was able to get down there was that a guard that was guarding one entrance, the Dallas police had, station had a tunnel that went down under from one street and came up the other side, the other street, and there was a police car that was trying to get into traffic and the Dallas police officer that was trying to guard people from coming in went out and helped this other police car to stop traffic and that while he was doing this Jack Ruby snuck in. But there's an interesting story that I think that is very important because of, it is a very good question that you asked. Memory serves me, if memory serves me correctly, Oswald was shot around 11:20 or so. Oswald was scheduled ...

MR. FINE: You mean Kennedy. Oh, Oswald was shot. I'm sorry.

MR. BELIN: Yes, Oswald was shot around 11:20.

MR. FINE: (Agreeing) Uh huh.

MR. BELIN: President, he was scheduled to be transferred at around ten o'clock that morning. And one of the major reasons for that delay involves a Postal Inspector whose testimony I took in Dallas. His name was

Inspector Holmes. And I took his testimony because he was involved in securing, in getting the original documents, the mail-order documents, the postal money order that Oswald used to purchase the rifle. Well, that, as I questioned Postal Inspector Holmes he said on Sunday morning he and his wife were going to church. And on his way to church he said to his wife, "You know, if you'll just drop me off at the Dallas police station I'm gonna help see if there's anything I can do with Captain Will Fritz." Captain Fritz was the head of the Homicide Bureau who was in charge in the investigation of these murders, of the murders of Kennedy and Tippit. And so, Postal Inspector Holmes dropped in the police station, and Captain Fritz did something he shouldn't of done; he let his buddy, Postal Inspector Holmes, into the interrogation room. And after Captain Fritz completed his questions, and the FBI man completed his questions, and the Secret Service man completed his questions, he then turned to Postal Inspector Holmes and said, "Is there anything you want to ask?" And so, for the next half hour or so Inspector Holmes goes through a series of questions, all of which had been covered during prior interrogations of Oswald. Now, if only Postal Inspector Holmes had of gone to church that morning, Jack Ruby would never had gotten down there because we know from a Postal, from a Western Union money order office stamp that Jack Ruby was in the Western Union office about five or ten minutes before the time that he killed Oswald. He had gone down there to wire some money to one of his strippers or entertainers, and if he had just, if Postal Inspector Holmes would have just gone on to church, Oswald would have been transferred before Jack Ruby ever got down into that basement.

MR. FINE: Okay, David, we have a...

MR. BELIN: (Garbled)

MR. FINE: ...question from a Warren Commission supporter, I think.

MAN: Well, I think the Warren Commission seems to present pretty good evidence on the assassination. But what I'm interested in knowing, a two-fold question, we hear a lot about your book, and I'd be interested in knowing what happens to the proceeds from your book, and secondly, I wonder if you'd delve a little bit into the incidents surrounding the murder of J.D. Tippit, and possibly some of the more popular myths, shall I say, concerning the assassination; the so-called man with the umbrella, and the hoboes on the street corner, and things of that nature.

MR. BELIN: That's a pretty tall question.

MR. FINE: Okay, listen, let's get answers to your question after we see the Zapruder film because that leads into it. Alright?

MR. BELIN: Fine.

MR. FINE: Can we take a look at the Zapruder film now? And perhaps, David, you've seen it more times than I've seen it; perhaps you can narrate it for us.

MR. BELIN: It's a very horrifying thing; it was, at least, everytime I've seen it.

(Film in slow motion)

MR. FINE: Alright, the motor-...

MR. BELIN: There you see the lead motorcycles of the motorcade that are coming down Elm Street in front of the Texas School Book Depository Building. There's the Presidential limousine with the Secret Service followup car behind. You'll see a freeway sign, and as you see the car coming from in front of this freeway sign You'll see that President Kennedy has his hands moving up to his throat. I think you can just see it there. He had a quizzical look as you see this frame by frame. Governor Connally is turning around here. Pretty soon you'll see this horrible frame 313 where you'll see a shot strike the President's head. This isn't a very good copy of it, by the way. There he has it. It's a very, very tragic thing. There's a question: was Jacqueline Kennedy trying to help Secret Service Agent Clint Hill in the car, or leave the car? He eventually got in the car.

MR. FINE: Alright. We're going to see the film again in a more close-up vantage point now, and you're going to see the shot, and David, it looks to me as if the shot comes from the front. We'll let everybody be their own judge of that.

MR. BELIN: Well, you're gonna say that because you'll see the President's head going backwards. I want to comment on that.

(Film)

MR. FINE: Alright. Here's the second time around. They're coming behind the sign. Now what is that splice mark there? Did they cut something out? Did you cut something out? Life Magazine cut something out?

MR. BELIN: Pardon?

MR. FINE: Alright, we're going to, now, see a close-up of the fatal head shot now; it's kind of gruesome. There's President Kennedy, he's already been hit once. And there's the shot, and it knocks, seems to knock the head all the way back.

(Audience reacts)

David, you say that is a back shot, huh?

MR. BELIN: Well, the same question has not been asked, you know, this is not the first time it's been asked. I've seen some experiments, I don't think this is a primary reason it's that way, by the way, but I've seen some experiments that have been done in motion picture film. And there's a doctor in New York that you probably oughta contact to get these experiments so that your audience can see it, where rifles have been shot at melons, and then he's done it also on substances equivalent to a head. And it's what they call the Jet Effect, where the rifle, where the force goes this way, the bullet comes this way, and the melon goes back toward the rifle shot. That, I don't think is the primary reason that the head was thrown back. I think the reason the head that was thrown back was because of a massive neurological response, at least this is what the medical experts say that we interviewed. Contrary to what you see on television, they say a bullet striking a person does not cause a great big movement in the opposite direction. A bullet just doesn't have that much force. I can...

MR. FINE: A bullet does not have that much force? It's traveling at about two thousand feet a second, isn't it?

MR. BELIN: I can tell you that it just doesn't. And, I think that if you care to investigate that, although to the layman, and to me when I first saw the film, I had the same conclusion. Let me at least answer in one other way. Far more important than what the experts might say as to what the Jet Effect is or what the massive neurological response would be is the fact that the x-rays themselves conclusively show that the bullet that struck the President came from behind. And the reason they do, it's a little bit like when you hit a glass with a BB; you see that the conic force goes out in directions forward from where the shot took place. And I think that if those autopsy x-rays are released to the public, they will confirm what every doctor says who seen those x-rays, that they prove that the shot came from behind.

MR. FINE: Okay. The gentleman awhile ago asked about the man with the umbrella. I think we have a slide taken from the Zapruder film that shows that, and maybe we can get your comment on it.

MR. BELIN: And he also asked about the Tippit murder and I'd like to comment about that, too.

(Slide)

MR. FINE: Alright. In the lower left hand corner of the screen, right by the limousine, as the limousine comes out from behind the sign, there is an umbrella which is open. It was a clear, sunny day in Dallas. Some critics of the Commission Report say that that was some sort of a signal to assassins that might have been standing in the grassy knoll or by the Triple Overpass, or in the Courts Building.

What do you say about the man and the umbrella?

MR. BELIN: The man and the umbrella started out...

MR. FINE: There is the overlay that we've...

MR. BELIN: Alright.

MR. FINE: We've drawn an overlay so you could see it more clearly.

MR. BELIN: I'm gonna respond to that in several ways. First of all, the fact is that there were no shots from the grassy knoll area. And the most conclusive response to that is there just isn't any medical evidence or any physical evidence to show any bullets other than ...

MR. FINE: Okay. That man is giving a signal, though, with the umbrella, then that's a conspiracy; you have two people.

MR. BELIN: If the question, though, first of all is that that man from the umbrella was standing in the grassy knoll area. And the supposition is always made that there was some kind of a signal. Why would they need a signal when the limousine is in clear view, I don't know. It did start out raining that day. That may have been why he had an umbrella. He might have had an umbrella to keep the sun off because it turned out to be sunny. I can't tell you why anyone was wearing or had an umbrella or not. What I can tell you...

MR. FINE: Immediately after the assassination he closed the umbrella and left down the street, and walked away.

MR. BELIN: What I can tell you is that there is no medical evidence of any shots coming from any direction other than the rear, and no medical evidence of any weapon other than Oswald's rifle. Now the...

MR. FINE: Okay. We have to take a commercial break. We'll be back in a second with some more phone calls and some more questions.

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MR. FINE: Okay. Before we take a phone call, David, you had a quick comment about something that you saw in the film.

MR. BELIN: The one comment, as that the Rockefeller Commission, we happened to actually do a frame by frame on the movement of the head, and actually for the first frame moved forward, and then it goes backward, which the doctors ascribed to a massive neurological response. I would like to go back to the question...

MR. FINE: Can we, can we take a question...

MR. BELIN: ...murder of J.D. Tippit. Well, there's one question that was asked that hasn't been answered yet, and that's the question...

MR. FINE: Alright.

MR. BELIN: ...of the murder of J.D. Tippit.

MR. FINE: Okay. If you could cover that kind of briefly, we are running short on time.

MR. BELIN: Now you know why I insisted I have the whole time to myself, because I don't have enough time to at least explain what I want to.

MR. FINE: I wish we had twelve hours.

MR. BELIN: At my rates per hour you couldn't afford it.

(Laughter)

MR. BELIN: The murder of J.D. Tippit is probably the Rosetta stone to the solution of the murder of President Kennedy, because Oswald was apprehended with the murder weapon in hand. In the case of the Tippit murder, there were six eyewitnesses that saw the gunman at the scene of the crime or running away from the scene of the crime, each of whom identified Oswald as the gunman. But more important than that eyewitness identification is the fact that witnesses saw the gunman, as he fled the scene reloading his gun, toss cartridge cases in the bushes. Now, when Oswald was apprehended in the Texas Theatre about eight or ten blocks away from the Tippit murder scene, the reason that he was apprehended at that Texas Theatre was that a shoestore salesman by the name of Johnny Calvin Brewer, whose testimony I took in Dallas sometime in April of '64, Brewer had heard about the Tippit murder in the vicinity of his shoestore, he had heard it on the radio. He heard police sirens coming down the street, and as police sirens were coming down he saw a man duck in the front portion of his shoestore with his back to the street. And the police sirens ebbed away, and then the man left. And Brewer became suspicious. And what Brewer decided to do was to trail that man, and he followed that man into the Texas Theatre a few doors away. Well, he went, Brewer went to the cashier. He said, "Did you sell anyone a ticket?" And she said, "No." Brewer tried to find that man inside the theatre. The theatre was dark, there was only twenty-five or thirty people in the theatre. He then went out and decided to have the cashier call the police.

MR. FINE: And they found him, and it turned out to be Lee Harvey Oswald.

MR. BELIN: Well, just a second, now. It's not just that they found him, but

when the police came in, as they approached Oswald, Oswald pulled out a gun. Now, carrying a concealed weapon is a crime in Dallas, as it is in Milwaukee and Des Moines and most other cities. If Oswald were innocent, why did he pull out this gun? But, even more important, that gun was the Tippit murder weapon because although the bullets in Tippit's body were too mutilated to be ballistically identifiable, you can also trace weapons through cartridge cases.

MR. FINE: Isn't it strange, David,...

MR. BELIN: And those cartridge cases which witnesses found at the Tippit murder scene came from Oswald's revolver to the exclusion of all other weapons in the world.

MR. FINE: Isn't it strange, David,...

MR. BELIN: And most people, by the way, who protest the innocence of Oswald agree, or claim that he was not only innocent of the murder of Kennedy but also innocent of the murder of Tippit. Pardon me. Go ahead.

MR. FINE: Okay. No, isn't it strange that you can trace cartridge cases which could have been planted, but you can't trace bullets that are inside the victim's body? You trace bullets that somebody might have planted on a stretcher in the hospital; you can trace bullets that somebody might have dropped in the limousine when it was parked outside of the hospital; but you're never able to trace the bullets that are found in the bodies of the victims.

MR. BELIN: That isn't true. What you just say...

MR. FINE: What bullets did you trace from the bodies of the victims?

MR. BELIN: First of all, your statement is that if a bullet is not mutilated, even though it's found inside a body, it can be traced. Even we...

MR. FINE: Well, you could use spectrographic analysis of...

MR. BELIN: Just a second, now.

MR. FINE: ...the bullets, can't you?

MR. BELIN: If you'll let me finish here. There were bullets that were found in the Presidential limousine, bullet fragments. Those bullets came from Oswald's revolver, rifle. Now, the bullets in Tippit's body, the FBI experts said that they could not be traced as coming from that revolver. But we hired our own expert because we wanted to double-check the FBI on everything, who was Joseph D. Nicol who was head, I think, of the Bureau of Criminal Investigation of the state of Illinois at the time. He said that he thought that one of the



bullets did come from, that one of the bullets was not so mutilated so that it couldn't be, so that it was still possible to identify it. He said that bullet did come from Oswald's revolver. Now, when you say that the people might have planted the cartridge cases, the people that picked up those cartridge cases were people that saw Oswald with gun in hand at or running away from the Tippit murder scene. They saw where he tossed the cartridge cases. They were the ones that took those cartridge cases out of the bushes and turned them over to the police. And the fact remains that when you have Oswald apprehended with the Tippit murder weapon and then you have six eyewitnesses that identify him, for people to say that Oswald is innocent of that I suppose they might just as well say that President Nixon was innocent of Watergate.

MR. FINE: Okay. Lets take a question from home.  
Hello, you're on the air. Hello?

MAN: Yeah. I just wanted to ask three brief questions...

MR. FINE: One question, please.

MAN: Huh?

MR. FINE: One question, please.

MAN: One question? How could anybody shoot eight bullets in three seconds?

MR. FINE: How could anybody shoot eight bullets in three seconds?

MR. BELIN: I suppose with a machine gun, but...

(Laughter)

MR. FINE: Alright. Can we have another question, please? I don't think, I don't think there's any evidence at all that eight bullets were fired.  
Go ahead.

MR. BELIN: I want to come back to that because there's a, go ahead.

MR. FINE: Can we have another question; please?

MR. BELIN: Yeah.

MR. FINE: Hello, you're on the air, sir.

MAN: Yeah. Was Oswald temporarily insane when he killed him?

MR. FINE: Was Oswald temporarily insane when he killed him?

MR. BELIN: That I can't say. But I think, you know, the question on time of bullets, by the way, I think bears one response because it's assumed that there were three bullets fired in five and a half or six seconds. But there are one of several possibilities, but to me the most likely possibility was that the first bullet struck President Kennedy's neck and then struck Governor Connally. It was the second shot that was the fatal shot that was fired five and a half seconds later, and the third shot was fired five or six or eight seconds later. There are two reasons why I happen to believe that's the most probable sequence of events. First of all as a fact that the most likely probability is that if the gunman fired three shots and missed, the shot that missed was the shot at the furthest distance. But secondly, was that the witnesses who were at the assassination scene basically said this, that the shots were fired in either equa-time distance, like this: (hits book, pauses); and then a few seconds later this: (hits book, pauses); and then a few seconds later this: (hits book); or the last two were closer together. But virtually no one at the assassination scene, although I think Governor Connally and his wife did in an effort to support their claim that they were shot by a sepearte bullet, no one, almost no one said that this was the sequence: (two close hits); and then five seconds later. Alright, go ahead.

MR.. FINE: Okay. We have a question here.

MAN: Okay. You stated before that no other evidence was found besides the bullets fired by the so-called weapon that was in the possession of Lee Harvey Oswald. I have here a picture of Sergeant Detective Buddy Walthers of the Dallas police along with some unidentified man who claimed to be with the Secret Service. And this gentleman is picking up a 45 caliber slug that is in some brain matter of the President on, in Dallas, in Dealey Plaza. One.

MR. FINE: That purports, we can only take one question, I'm sorry.

MAN: Also I have a statement.

MR. FINE: Well, look, he has to respond to it, so we'll gonna count it as a question. I'm sorry, we have a lot of people who want to ask questions.

That picture purports to be a picture of somebody picking up a bullet from the ground. Were you aware of that? Have you looked into it?

MR. BELIN: There were claims at the time that there were other bullets that were picked up, and every single claim that was made was followed up. And it was not true that there were any bullets picked up at the assassination scene. Plus the fact that the wounds to the President were not caused by a 45 caliber bullet.

there was another gunman, because the gun couldn't be fired, Oswald's rifle that was found on the sixth floor of the School Book Depository Building could not be fired faster than 2 or 2½ seconds with any degree of accuracy. Well, we took a microscope and we tried to analyze that film. You just couldn't see exactly where Governor Connally was hit. And then I had the idea of saying, "Okay, if we can't see where he was hit, where was he not in a position to take the wounds that he took?" Governor Connally's physicians all agreed that he was struck from behind by one bullet which entered the back, came out here by the nipple in his right chest, hit his wrist, exited his wrist, and then lodged in a superficial wound in his leg. So I wrote down to Secret Service in Dallas and asked them to have Governor Connally's reconstruct his position to see where he had to be sitting to take the wounds that he took. And they sent back five different perspectives; the only thing is that in three of them they showed the bullet entering the back of the wrist and exiting the front, and the other two was vice versa. Well, Secret Service hadn't noticed, noted this discrepancy, but I did. And so I called down there and said, "Have Governor Connally's physicians decide which one it was." And so they did, and then I went back to the film and I said, "Okay, show me now where Governor Connally could not be sitting to take the wound." And lo and behold, at around frame 240 or thereabouts they decided that Governor Connally could not have been hit after frame 240. And if President Kennedy was hit at around frame 220, and the maximum that Governor Connally could be hit was at frame 240, that's about a second maximum difference. I thought I had momentarily proved, David Belin, country boy from Iowa, had proved that there was more than one gunman. There was only one other possibility. And that possibility was that the bullet that hit President Kennedy in the neck and exited in the front of the neck struck Governor Connally.

MR. FINE: And that's the famous Single Bullet Theory, and we'll get into that a little bit later, okay?

MR. BELIN: That's fine, just so you understand that the Single Bullet Theory evolved out of an attempt on my part to prove that there was more than one gunman.

MR. FINE: Okay.

MR. BELIN: So when you go to that memo which indicates prima facie, which is one piece of evidence which said did I assume that Oswald was the gunman, I assumed nothing. I assumed that was a very good possibility, but I certainly didn't assume that he was the gunman or the only gunman...

MR. FINE: So you're assuming...

MR. BELIN: ...to the exclusion of everything else.

MR. FINE: Your superiors assumed that he was the gunman because in a memo dated January 11, 1964, right when you were getting started, they had the whole tentative outline of the work of the President's Commission. And the outline included the trip to Dallas; the assassination; and then there was a long, long section on Lee Harvey Oswald as the assassin. Into his history; into his background and everything else.

MR. BELIN: That was a preliminary outline which I have to tell you that I changed when I got to Washington.

MR. FINE: Okay. Listen, let's take a call from the folks at home and see what they have to say.  
Hello, you're on the air.

MAN: Yes.

MR. FINE: Did you have a question for David Belin?

MAN: I had two of them for him.

MR. FINE: Well, let's have the first question first.

MAN: Okay. Why couldn't the Senate or some other committee subpoena someone like Press Secretary Salinger and have him tell what he knows about the findings,...

MR. FINE: The question is...

MAN: ...or what he knows about the Kennedy murder.

MR. FINE: The question is, why couldn't the Senate Committee subpoena former Press Secretary Salinger? The answer is that they could. They have the power to subpoena these people. And I don't know if he testified before the Schweiker Committee or not. Do you know?

MR. BELIN: I don't know. I have asked Congress to have a reopening, and I would hope that they would do that. I asked Senator Schweiker and Senator Hart personally to do that. But I'm afraid that at least thus far that there is no desire on the part of Congress to do it. I hope that perhaps there will be.

MR. FINE: Okay, let's have that second question quickly.

MAN: Hello?

MR. FINE: Hello.

MAN: I believe the Warren Commission to this date is withholding evidence from the people.

MR. FINE: Okay. There is a very, thank you sir. This is a very widely held feeling; that there's still a coverup going on. And I'll tell you this, David, I remember back in 1964 seeing the Chief Justice of the United States who was the head of the Warren Commission, Earl Warren, standing on the steps of the Capitol, and I remember it as clearly as if it were yesterday, standing on the steps of the Capitol telling a bunch of newsmen gathered at his feet that there were things that they had discovered which would not be released for a hundred years.

MR. BELIN: I think that your recollection is accurate as to what Chief Justice Warren said. That's one of the reasons that I filed the Freedom of Information Act requests that I have, because I think that really I have had a unique perspective of almost anyone in this country in heading an investigation into the CIA. We live in a great country. We live in a country where an independent citizen from Iowa can come to Washington to head an investigation of the secret intelligence agency in this country. It couldn't conceivably happen in Russia; it couldn't conceivably happen in Cuba or China, but it can happen in America. But having seen what I saw in Washington, and knowing as I do know that there are legitimate reasons for not releasing everything that the CIA has on the Warren Commission, at the same time I also know there are legitimate reasons for releasing it all. Because I think one of the most important things that we can do in this country is to rebuild trust and confidence in government. And I'm personally convinced that there isn't any harm that might be accomplished from losses of sources and methods that would come from having everything out on the table that wouldn't be more than outweighed by the greater public good of having a rebirth of confidence so that people in this country, when they see it all, can say, "By golly yes, the Warren Commission conclusion was right that Lee Harvey Oswald was the assassin, and the sole assassin who killed President Kennedy and Officer Tippit." And equally important, I think it's vitally important for the people in this country to know how easily they have been misled into believing, by a relatively small group of people at the fountainhead of it, but by perhaps a combination of a coverup; by people not releasing everything; by an outgrowth of lack of confidence in government because of Vietnam, because of Watergate; but how easily they have been misled into believing that Oswald was innocent of those two murders.

MR. FINE: Well, you complained back then that the Warren Commission did not let themselves look at the x-rays and photographs of President Kennedy; that they did not let the staff people look at the x-rays and photographs of President Kennedy, the autopsy; that they didn't even let the artist who drew the sketches that they were going to look at examine the x-rays and the photographs of President Kennedy. You complained in your book and I assume you complained in the inner workings of the staff at the time when they made that decision. You called it a wrong decision. You called it a decision that will

leave people in years later to doubt the Commission's word on it. And yet, the question I have to ask you is why didn't you take the road that Elliot Richardson took when President Nixon asked him to fire Archibald Cox, or that Bill Ruckelshaus took when President Nixon asked him to fire Archibald Cox? Why didn't you resign and say that "there's a coverup going on. We're not being given the information. We're not being given the tools with which we can discern what actually happened"?

MR. BELIN: I have to tell you that it crossed my mind more than once to resign from the commission. One of the reasons that I didn't was perhaps because of the distrust of what might happen if the lawyers on the commission did resign, because I knew how I felt about leaving no stone unturned to find the truth. I know that all of the independent lawyers working with the commission had that same feeling. It was a very, very horrible mistake that the Chief Justice made. And as a matter of fact I never saw those autopsy photographs and x-rays until my service with the Rockefeller Commission when one of the allegations was that the CIA was involved, conspiratorially involved with the Kennedy assassination. I asked Senator Schweiker and Senator Hart to appoint an independent group of doctors. And by the way, there have been now more than a dozen doctors who have examined those autopsy photographs and x-rays, and not one of them finds any medical evidence of any shots coming from the front, as all of these, as all of these conspiracy theories...

MR. FINE: Well, that's a matter of interpretation, I think, in terms of, that one of, I think the Clark Panel reported, one of the doctors in the Clark Panel reported that there was evidence in the neck wound of President Kennedy that there was fragments, a bullet had left flakes of metal inside President Kennedy's tissue. And of course the bullet that the commission says caused that neck wound was a jacketed bullet which was basically undamaged, and lost none of its metal along the axis of entry. And so, the question is whether or not the existence of those fragments inside President Kennedy's tissue in the neck does dispute the findings of the Commission Report.

We have to take another call. One second. Okay. Yes sir, you're on the air.

MAN: Yes, I have a question regarding this conspiracy angle. Kennedy's parade route was made public only the day before his arrival. How did Oswald gain employment in the building directly on that route at least a month before if he wasn't tipped off by someone with access to parade route information?

MR. FINE: Okay, sir, thank you so much.

David, answer this question and the question about the...

MR. BELIN: I want to go back. I'll first answer this question, then I'll want

to respond because I think you inaccurately state the conclusions of the Ramsey Clark Panel.

The question about the parade route: you're accurate when you state that it was not published until a day or two or three before the assassination. The reason that Oswald got employment; that's one of the strange quirks of fate that changed the course of history.

Oswald was unemployed. His wife was living in a Dallas suburb with a family by the name of Paine, and Oswald was in a rooming house in Dallas. And the Paine, Marina Oswald was pregnant. Mrs. Paine felt sorry for the plight of Marina Oswald's husband, and she had learned that a brother of a neighbor lady had gotten a job at the Texas School Book Depository Building. So, I think I have it in my book, I know you won't like to read paragraphs but this is almost a classic because, in substance, she called up the superintendent of Texas School Book Depository and she said, "I have this really nice young man here that's needing work, and could you find a spot for him?" Well, he told her to send him down, and they did find a spot for him. If she just wouldn't have gotten involved in it, Oswald had filed with the Texas Employment Agency for work and a day or two or three later after he got the job at the Texas School Book Depository Building another job opened up for more money that he would have taken if he wouldn't, if Mrs. Paine had not gone out of her way to help...

MR. FINE: So all this is happenstantial...

MR. BELIN: It's happenstance that Oswald...

MR. FINE: ...and that might indicate,...

MR. BELIN: ... happen to be living there.

MR. FINE: ... might indicate that he did not have a preordained view to kill the President, which might indicate that he did not kill the President.

MR. BELIN: It's certainly indicates that he might not have had any knowledge at that time of the parade route, any particular motivation at that time to kill the President. The fact that he had no knowledge or motivation in September 1963 is a little bit irrelevant as to what might have taken place in November of 1963.

With particular reference now I want to go back to the question...

MR. FINE: Please.

MR. BELIN: ...of the Ramsey Clark...

MR. FINE: Please.

MR. BELIN: ...Panel, because the Ramsey Clark Panel was appointed by the then Attorney General of the United States in the Johnson administration, Ramsey Clark, to independently examine the Kennedy autopsy photographs and x-rays to see if they confirm the conclusions of the Warren Commission autopsy people that the bullets were struck, that struck the President and Governor Connally from behind. The members of that panel were recommended by the President of Stanford University, the President of John Hopkins University, the President of Michigan...

MR. FINE: I will stipulate as to their qualifications. (Laughs)

MR. BELIN: ...State University, and the President of the American College of Pathologists. And I'm just going to read you, since you don't want me to read a lot, I'll just read you the most important conclusion, the single most important sentence of this panel. "The decedent," that's President Kennedy, "was wounded by two bullets, both of which entered his body from behind." And I can go and read additional if you want to. But basically, the Ramsey Clark Panel, as well as the five independent doctors who were selected by the Rockefeller Commission, all concurred in the conclusions of the Warren Commission...

MR. FINE: Except that they...

MR. BELIN: ...that the bullets struck from behind.

MR. FINE: Except that they did...

MR. BELIN: And most recently, CBS, in connection with its four hour review of assassinations appointed the President of the American College of Pathologists to investigate on his own, and he came up with the same conclusion. So you have a situation where almost every conspiracy theory, not all, but ninety-five to ninety-eight per cent of them, including David Groden who was on this program, come up and say, you know, "Look, there is a film that indicates that President Kennedy was struck from the front." But the medical evidence, fifteen doctors all agree that President Kennedy was struck from the rear.

MR. FINE: David, except the Warren Commission says that the neck wound was caused by that bullet, Exhibit 399, which emerged after going through President Kennedy and, you say, through Governor Connally, and was found in the hospital almost in a pristine condition. It lost no metal from the sides or the front. And yet the Clark Panel specifically noted that there was a collar around the entry wound in the rear of President Kennedy's neck which would only be consistent with a non-jacketed lead bullet, 399 was a jacketed bullet, and that there were metal fragments in his tissues, and that would also only be consistent with a non-jacketed bullet, not 399.



We have to take this commercial break. We'll be back in about a minute.

\* \* \* \* \*

MR. FINE: We're back. I think we have some questions back here. You had a question, sir.

MAN: Yes, According to the FBI Summary, Supplemental Report and the Warren Report, they disagree with each other about President Kennedy getting shot through the neck, come out through the throat. Can you tell me why they disagree with each other?

MR. BELIN: Yes, I'd be happy to. And that relates, by the way, to Exhibit 399 which is the so-called "single bullet" that went through both.

The FBI, as we found, often was inaccurate in what its reports were. And yhat's why instead of relying on FBI reports, as an attorney on the Warren Commission I, together with my colleagues, relied basically on our own independent investigation.

The quotation that Ralph Fine just made earlier is not an accurate or complete quotation from the Ramsey Clark Panel. But the basic problem, if you can visualize a question of common sense, the fibers on President Kennedy's back of his coat were pointed inward. The fibers on the front of his shirt were pointed outward. Initially, at the time of the assassination the doctors in an effort to save, or try and save President Kennedy's life performed a tracheotomy. And it was performed in a point which was, turned out to be the exit point of a bullet that went through President Kennedy's neck. Now to give you an idea of at least the depth that we went through our investigation, you might remember earlier that I suggested that I tried to prove that there was more than one gunman. And the only possible rebuttal to my determination, based upon when Governor Connally was struck, was whether or or not the same bullet that went through President Kennedy's neck also went through Governor Connally. And so the first thing we had to do was to try and find out what would happen to a bullet of this kind that went through President Kennedy's neck. We found out from wound ballistic experts with the Army that there were three possible ways of reconstructing President Kennedy's neck. One was a twenty per cent gelatin substance; one was a horsemeat substance; and one was goatmeat. And we basically had it done all three ways. And we found out that that bullet that entered the back of his neck, and I think it was something like nineteen hundred feet a second, exited at about eighteen hundred feet a second. And so the next question was, when a bullet exited President Kennedy's neck at eighteen hundred feet a second, where did that bullet go? Well, it had to either strike someone in the car, or strike the car, or leave the car. And what we did is we reconstructed that motorcade in Dallas frame by frame; you remember there was an amateur moving picture film taken by Mr. Zapruder. We had thirty-five

millimeter slides made of each frame. And so, what we did as that we put the Presidential limousine frame by frame, and then took a single lens reflex camera at the place where witnesses had seen the gunman fire, and I want to come back to that in a minute, and had stand-ins to see what would happen as that car went down Elm Street frame by frame. And lo and behold, at about the time that President Kennedy was struck, as you look through that gun you see that Governor Connally and President Kennedy are exactly on line. Now you might ask why did we go and use that window. Well, there were two basic reasons why we used that window. First of all, the only people that saw a gun at the time of the assassination saw that gun in the southeast corner window of the sixth floor of the School Book Depository Building. When that building was searched by that window, they found three cartridge cases. Also, in the back part of that same floor, stuck by the back stairway, they found a rifle. Those cartridge cases, and I myself saw them under comparison ballistic microscopes in the FBI lab, those cartridge cases came from that rifle to the exclusion of all other weapons in the world. When you went inside the Presidential limousine you found two ballistically identifiable bullet fragments, probably from the same bullet. I saw those myself under comparison microscopes. Those bullets came from that rifle to the exclusion of all other weapons in the world. When you go into Parkland Hospital, the nearly whole bullet that we've been talking about that went through President Kennedy's neck and eventually hit Governor Connally, found off Governor Connally's stretcher. That bullet came from that rifle to the exclusion of all other weapons in the world. When you examined x-rays, you've heard about, you know, there must have been other gunmen, there either had to be a bullet in the President that would show up on a x-ray; there was none, or another exit point for a bullet; there was none. When you go through and examine all of this and the other hard evidence you had to come to the conclusion that there was just one gunman involved. But...

MR. FINE: David, in your...

MR. BELIN: Yes, go ahead.

MR. FINE: ...in your shooting at the horsemeat and at the goatmeat, what did the bullets look like after they came out of all those materials?

MR. BELIN: Nearly whole bullets.

MR. FINE: Nearly whole bullets.

MR. BELIN: Yes. The same, I'm gonna say basically they would be less...

MR. FINE: Well, I think we have a picture of some of those "nearly whole bullets."

(Laughter)

MR. BELIN: I would say, Ralph, that the bullets that came out of the, that was found at Parkland was pinched, as I remember it, on the base. And by the way, there were fragments that were also taken out. I think that it lost approximately three grains of metal. But the bullets that passed through the tests, that went through President Kennedy's neck to the best of my recollection, and I have to tell you that I was not the lawyer that handled those tests, did not lose any amount of grains, to the best of my recollection.

MR. FINE: Alright. Here we have, here we have a picture of the pristine bullet, right here. This is the bullet that the Warren Commission says went through President Kennedy's neck; went into Governor Connally; shattered a rib; then went into his thigh, into his wrist and shattered part of his wrist; and then went into his thigh. Here is a bullet which they shot through goat or horsemeat. It is considerably more misshapen. And here are bullets that they fired at corpses' wrists, and you can see how flattened they are.

MR. BELIN: Right, and as a matter of fact I want you to keep that up for a moment on those wrists because I think that's a very important thing. One of the reasons that we determined that the bullet that struck Governor Connally's wrist had already gone through Governor Connally's chest was that in all of the tests that two things would happen to a pristine bullet, a bullet that struck his wrist without striking anything else. First of all, the wrist would be shattered far beyond what Governor Connally's wrist was shattered. And secondly, the bullet would be damaged far beyond Governor Connally's, the bullet that was found off of Connally's stretcher. And the very fact that you see those misshapen bullets coupled with the fact that the tests of the wrists themselves were cited by the wound ballistics experts to prove that Governor Connally's wrist was not hit by a pristine bullet, and that the bullet that struck Governor Connally's wrist had first gone through Governor Connally's chest.

MR. FINE: Okay, so you mean to say that this bullet over here that lost no metal along its sides here...

MR. BELIN: I'm not gonna say it lost no metal along its sides, that...

MR. FINE: Except that the lands and grooves weren't even, weren't even effaced under a microscope.

MR. BELIN: Well, I'm not gonna say that it lost no metal because somewhere along the way it lost about three grains of metal, and I can't tell you right now from recollection whether it was out of the back or out of the sides, except what I can tell you is this,...

MR. FINE: It had to be from out of...

MR. BELIN: ...is that, so that...

MR. FINE: ...the sides 'cause it was a jacketed bullet.

MR. BELIN: ...is that basically, the question, bullets often do strange things. But the key question of this particular bullet was that there weren't any other bullets that were found that came from any other rifle. And when you start saying, "Could this bullet have done it?", the fact that there wasn't another bullet, that's what's really overlooked by all of the Warren Commission critics. They say, "Oh, this really couldn't have done it." Well, the fact is that it could have. It doesn't mean that ten times out of ten times it would've. But it not only could've, but the fact that there was not any other bullet that...

MR. FINE: Okay, so that's...

MR. BELIN: ...was ever found.

MR. FINE: So that's the basis of the...

MR. BELIN: That is...

MR. FINE: ...Commission's theory.

MR. BELIN: That basically is the fact that there were no other bullets found; the fact that all of the medical evidence was that shots came from the rear; the fact that there were cartridge cases found that came from that very same rifle; the fact that there was a bag found at this window that, by the way, had Oswald's, either his handprint or I think a fingerprint on it...

MR. FINE: (Agreeing) Uh huh, uh huh.

MR. BELIN: The fact that the rifle had a latent palmprint from rifle, from Oswald; the fact that I took the testimony of the mail-order house executive that shipped that rifle to Oswald; the fact that what Oswald did after the assassination, the fact that he killed Tippit. And we haven't even talked about Tippit.

MR. FINE: Okay.

MR. BELIN: And I'd like to take two or three minutes to talk about Tippit because...

MR. FINE: Can we take a phone call before...

MR. BELIN: Sure. Shoot.

MR. FINE: ...we talk about Tippit?

MR. BELIN: I shouldn't say "shoot", but go ahead and take the phone call.

ANNOUNCER: Tonight, Ralph's guest is David Belin, former Associate Counsel to the Warren Commission, and one of the two men most responsible for the Warren Commission's conclusions that President Kennedy was killed by a lone assassin, and that that assassin was Lee Harvey Oswald. More recently, David Belin was also the Executive Director of the Rockefeller Commission, which investigated the CIA.

And now, here's Ralph.

MR. FINE: Good evening. Thank you for joining us.

David, one of the two conditions you set for appearing on the show was that you appear alone, and that we not have any critics up here with us. Perhaps you could just explain briefly why.

MR. BELIN: Well, I'm not quite sure how brief it's gonna be, but there were several reasons. First, I felt that if I was gonna take the time away from my family to fly here from Des Moines, Iowa, I wanted to have an opportunity to present an entire case before the people so that they can hear a response from the Warren Commission.

Secondly, as a practical problem that's happened in the case of the Warren Commission, which I call the greatest intellectual ripoff that I know of in my lifetime, and the problem is that whenever a person attacks the Warren Commission, they take facts out of context, context. They misrepresent either by omission or deliberately, and whereas if you give equal time, if you give one person five minutes and that person misrepresents the facts, they can give ten or fifteen or twenty deliberate misrepresentations of the truth and it might take me five minutes just to correct that one response. The third reason that I requested that goes back probably about six years or seven years ago when the most vociferous critic of the Warren Commission, a man by the name of Mark Lane, sent me a letter saying that he was involved in the commercial motion picture as an outgrowth of his book "Rush to Judgement" and gave me an opportunity to rebut his film on camera. It was very important for me to try and have that opportunity because of the fact that I knew that film would be shown in millions, before millions of viewers across the country. I wrote him back nine letters trying to get thirty minutes on camera to rebut his film pursuant to his offer, and he refused to...

MR. FINE: And he reneged on his offer.

MR. BELIN: He reneged his offer, and since that time I've taken the position that if I am gonna take my time, since I already know what the facts are, at least I'm gonna have it on my own.

MR. FINE: Okay. You tell that story in your book; it's entitled "November 22, 1963: You Are the Jury." And in that book, as I said, you tell the story about how Mark Lane first offered you a half an hour and then reneged.

The second condition to you appearing on the show was that I read your entire book.

MR. BELIN: That's correct.

MR. FINE: I would have read it anyway. I enjoyed it; it's some five hundred pages of very tiny print so you have a lot in here. But one thing you don't have in the book, one thing that you don't mention at all, is Oswald's Cuban connection in terms of the rumors that were rampant during that period of time that perhaps Castro had something to do with the Kennedy assassination. Why did you omit that very important rumor that was rampant in those days?

MR. BELIN: The rumor goes back, basically, to the time of the Warren Commission investigation. There were twenty-six volumes of evidence that were published, evidence and exhibits and transcripts of the time of the Warren Commission Report. I've tried to put together what I call the heart of the evidence in one volume, and I basically concentrated my efforts in the area to let the reader reach what I call the verdict as a member of the jury of world opinion in the two murders that took place, the killing of the President and the killing of Dallas Police Officer J.D. Tippit. The questions of conspiracy and possible motivation would've taken another book, and...

MR. FINE: Okay. But don't you think it was important, though, since that was a very serious charge if a leader of another country, especially a country so close to our own, had our president assassinated. Certainly that would have been something that would have shaken the world.

MR. BELIN: It would've shaken the world if that could've been proven. I did include as an appendix to my book the summary chapter of the Warren Commission Report and urged the readers to read the entire Warren Commission Report. But, physically, I did not have any opportunity to include everything that I wanted to. That would've been one thing. Now, I should add one other response to that, and that is at the time I wrote the book, which was on the tenth anniversary of the assassination, I did not know, and I don't think you knew or anyone in this audience knew, that the CIA had been involved in assassination plots directed against foreign leaders in general and Castro specifically.

MR. FINE: Except that Castro, about a week and a half before the Kennedy assassination, held a press conference, I guess at the Brazilian embassy with an AP reporter, in which he specifically warned, through the AP reporter, warned the American government. He said that, "If Jack and Bobby Kennedy don't stop trying to kill me, they may be the ones", and I'm paraphrasing now, "they may be the ones who wind up dead." So, certainly Castro at least two

and a half weeks or one and a half weeks prior to the assassination alerted the world to that maybe American agents were out to get him and that he might respond in kind.

MR. BELIN: The press interview which you mentioned took place on September eighth or ninth, about two and a half months in advance of the assassination. By the way, there's a very interesting sidelight on that which I think the viewers might like to know about. I came across that interview when I was going through CIA files last year when I served as Executive Director of the Rockefeller Commission. And I checked as to how that report was made; he didn't say the Kennedys, he said American leaders. There was a long hour or more along interview, and in the New York Times and in the Washington newspapers they did not report that portion of Castro's interviews where he threatened American leaders in retaliation. It was reported in the New Orleans paper, Oswald happen to be living in New Orleans at the time. But it is very interesting, just a commentary as to why the American eastern press didn't include that portion of it in their reports.

MR. FINE: David, in the Final Report of the Select Committee to Study Governmental Operations which was released on June 23, 1976, that's a Senate committee, they released the report studying the investigation of the assassination of President John F. Kennedy in terms of performance of the intelligence agencies. They quote from the press interview, and Castro is quoted as stating, quote: "Let Kennedy and his brother Robert take care of themselves, since they too can be the victims of an attempt that will cause their deaths." So he did mention the Kennedy brothers by name.

Listen, about a month and a half ago...

MR. BELIN: That was not...

MR. FINE: I'm sorry.

MR. BELIN: I was gonna say...

MR. FINE: Okay.

MR. BELIN: ...that was not report, that they mention the name was not what was actually reported in the papers. But go ahead.

MR. FINE: Okay. About a month ago, as you probably know, Howard K. Smith, who was a newscaster on the ABC television network, dropped a bombshell. And we taped that report, and let's listen to it now. Okay?

HOWARD K. SMITH: Enough doubt has been cast on the Warren Report on John Kennedy's death to justify a new investigation that will leave no lead unfollowed. In that connection, I beg to relate a personal experience. In his tenure in office I had many long private talks with President Johnson. In one of them he said to me, "I'll tell you something about Kennedy's murder that will rock you." He then said, "Kennedy was trying to get to Castro, but Castro got to him first." Well, I was rocked, all right. I begged for details, and he refused, saying, "It will all come out one day." This appears in thorough notes that I wrote an hour after that conversation. They were confidential then, but with the issue revived, responsibly, by Senators yesterday, I feel justified in recounting it publicly now.

A side note; on a trip to Miami, four months after Kennedy's death, the FBI suddenly changed Mr. Johnson's travel plans. Instead of landing at Miami, he landed at an obscure airport miles away. And he moved about in one of three helicopters all unmarked so that his could not be identified. The rumor was a Cuban "kamikaze" had been ordered to ram his plane. Asked about that, Press Secretary Pierre Salinger said, "Maybe a year or two or five years from now I can tell you, but not now." I cite that merely as evidence that belief in Cuban assassination plots was very alive in Washington, still, at that time.

Mr. Johnson often dealt in blarney and what he told me may have been that. But it deepens shadows that ought to be illuminated by a thorough new investigation.

MR. FINE: David, that is a very serious charge that the President of the United States repeated to a reporter. He certainly did not go in and do the investigation, the legwork himself. He must have had people reporting to him their suspicions. Why didn't they tell the Warren Commission? I'm gonna give you the benefit of the doubt and assume that they did not tell you. If they did not tell you, perhaps you can answer that question, if they did not tell you, why do you think that they covered it up?

MR. BELIN: First of all, the Warren Commission did not know anything about assassination plots directed against foreign leaders by the CIA



or anyone else. This same Senate report that you refer to mentions that, by the way.

MR. FINE: Yes, it does.

MR. BELIN: Secondly, there is absolutely no excuse for the Warren Commission not knowing that. One of the great concerns I had when I first found out about these last year in Washington was that if the federal government is gonna withhold information from an independent citizens' commission investigating an assassination of a President, and if the FBI is gonna withhold information, the CIA is gonna withhold information, then when won't they withhold information when they think it's in the best interests of the people not to do it.

Thirdly, I think you ought to know, you may not be aware of the fact, but last November I called for a reopening of the Warren Commission investigation. I would like to read, if I might, two paragraphs which basically summarize...

MR. FINE: Could you paraphrase them? 'Cause there's a fella with a hook that comes out and gets me if the guest reads, so...

MR. BELIN: This is one of the problems, I think, of the society in which we live is that the media will not allow anything in detail. I'll try to summarize it in this way.

MR. FINE: Okay.

MR. BELIN: First of all, as by way of background, I filed Freedom of Information Act requests with both the FBI, the Archives, and the CIA to release everything in connection with the Warren Commission investigation.

Secondly, I called for a reopening of the Warren Commission investigation for several reasons. First and foremost, because of the question of rebuilding trust and credibility in government, even though I know that in any reopening that they're gonna reach the same conclusion that Lee Harvey Oswald was the sole gunman that killed President Kennedy and Officer Tippit.

MR. FINE: So you don't agree, you don't agree, then, with Senator Schweiker's conclusion, the, one of the Senators on this committee, you don't agree with his conclusion that the Warren Commission fell like a house of cards.

MR. BELIN: Well, I've talked to both Senator Schweiker and Senator Hart; Senator Hart doesn't agree with Senator Schweiker's conclusion. And this document, there is not one scintilla of evidence which in any way shows that Oswald did not kill President Kennedy and Officer Tippit.

MR. FINE: Well, of course there's nothing in there that shows that Oswald did kill President Kennedy or Officer Tippit. The report specifically is narrowly limited to discussing how the investigatory agencies helped or hindered your investigation.

MR. BELIN: That, in part, is accurate. But the key question, as when Senator Schweiker, and Senator Hart as I said disagrees, says that the Warren Commission Report will collapse like a house of cards, and he made that on a talk show six months before his investigation was completed.

MR. FINE: He repeated it on "Face The Nation" the Sunday after the...

MR. BELIN: He repeated it on "Face The Nation" and if you read the conclusions of the Warren Commission Report, there isn't anything in this report which in any way undermines the conclusion of the Warren Commission that Lee Harvey Oswald was the sole gunman that killed President Kennedy and Officer Tippit. And the reason that there isn't, the reason that there isn't is that there isn't one bit of hard evidence that has come forward since the investigation of the Warren Commission to undermine that conclusion.

Now, you and I know as lawyers that whenever you have an automobile accident, for instance, and you have more than one person see that accident you're gonna have two or three different versions of those facts. You had an assassination of a President that involved literally hundreds of people in the area. You have different versions of facts as to what took place. What we had twelve or fourteen lawyers in the Warren Commission divided into six different areas of investigation painfully going through the process of sifting through all of the evidence to try really and, in a sense, disprove the preliminary FBI conclusions that Oswald was the gunman that killed the President and Officer Tippit.

MR. FINE: Alright, let me repeat that...

MR. BELIN: And if...

MR. FINE: ...if I think that may be worth...

MR. BELIN: And...

MR. FINE: ...repeating. You make that point in your book.

MR. BELIN: Yeah, but let me finish...

MR. FINE: Alright.

MR. BELIN: ...it up in one minute if I can.

MR. FINE: No, I'm gonna let you finish. I just want to repeat what you said

because, are you saying then that the staff strove to disprove the FBI's conclusion that Oswald was the sole gunman?

MR. BELIN: I'm saying that if you can visualize yourself, and I'll take, for instance, the two lawyers that worked in the Jack Ruby area, one of whom is now Professor of Law at Tulane University, Leon Hubert, and the other is a Judge in Cleveland, Burt Griffin. Everyday, day after day after day, they would go after lead after lead after lead to try and find a connection between Ruby and the assassination. And if you're gonna knock yourself out forty, fifty, sixty, seventy hours a week, you certainly gonna try and find something other than what someone said in the very beginning, that's there's no connection. And I would vividly remember, you know, periodically Leon Hubert would come in my office and say, "I think I found a connection!" And then a week later he'd come in and he'd have to, you know, he'd be crestfallen that that lead fell through. Well, similarly, when I first went to Washington, I felt that probably there was a conspiracy involved. And the reason I felt that way, just as a gut feel of a layman, Jack Ruby had killed Lee Harvey Oswald and I felt that it was very possible that he had done this to seal the lips of the assassin, assuming that Oswald was the assassin. The whole question of Ruby's credibility was one that very greatly concerned me. I wanted a polygraph examination given to two people, one of whom was Ruby. The Warren Commission decided that they would not give polygraph examinations, and even though I wasn't in the Ruby area when I got down to Dallas I made it a point to stop and see Ruby's rabbi who was visiting him, and Ruby was Jewish and his rabbi was visiting him in his cell, to find out if the rabbi really felt that Ruby was innocent. I've met this rabbi on a trip abroad, and finally got the rabbi to prevail on Ruby against the advice of Ruby's attorneys to have Ruby demand that as a condition to testify before the Warren Commission he would take a polygraph examination. Which he did and, by the way, which confirmed the conclusions of the Warren Commission that Ruby was not conspiratorially involved. But, in any event, the key question you asked is, how did we go about our investigation? And I went about my investigation the same way everyone in this room and everyone in your audience would want it done; to leave no stone unturned to find the truth.

MR. FINE: Okay, Dave, one of the points you make in your book and you've made it now again was that you went there with an open mind. When were you on board officially? When were you...

MR. BELIN: In January.

MR. FINE: January of 1964.

MR. BELIN: 1964.

MR. FINE: Alright. Also in this Senate Select Committee Report is a letter from Nicholas Katzenbach who was then the Acting, or Deputy Attorney General of the United States, a letter that he wrote to the then Presidential Assistant Bill Moyers. And I'm not going to read the letter 'cause I'm gonna abide by my own strictures. But in the letter he said that it was important that the people perceive the assassination so that they are, quote: "satisfied that Oswald was the assassin; that he did not have confederates who were still at large; and that the evidence was such that he would have been convicted at trial." In addition, in January 30, of 1964, shortly after you came aboard, probably time that, before you had time to even acclimate yourself as to what you were doing, you wrote a memo to J. Lee Rankin, who was your superior on the commission staff, referring to tests that you wanted to have run. And you say, "Determining the accuracy of Oswald we have three major possibilities." And you went on to there that he was either shooting at Connally and Kennedy, or he was just shooting at Connally, or he was just shooting at Kennedy. But, as early as 1964, January 30 of 1964, at least in this memo, you seemed to have assumed that Oswald was the assassin.

MR. BELIN: I'll respond to that. First of all, the tests...

MR. FINE: Can we take a commercial break? I'd hate to leave you...

MR. BELIN: You sure can...

MR. FINE: ...hanging.

MR. BELIN: ...except I'll just say this; that the Katzenbach memorandum never reached my desk and, I don't think, never reached the desk of any of my colleagues...

MR. FINE: Alright, we'll...

MR. BELIN: ...so that's irrelevant. I'll respond to that after the commercial.

MR. FINE: ...come back, we'll come back after a commercial break. We have a floor crew who gives me the sign and I have to obey them. We'll be back in a little bit.

\* \* \* \* \*

MR. FINE: Before the commercial break we talked about a letter that then Deputy Attorney General Katzenbach wrote to the White House expressing the desire that the people be satisfied that Oswald was the lone assassin, and we talked about a memo that you wrote, January 30 of 1964, shortly after you came aboard, in which you assumed, in that memo, that Oswald was the assassin. Unfortunately, I had to cut you off.

MR. BELIN: With regard to the Katzenbach memo to the White House, I never saw a copy of it. If I would have seen a copy of it it would've made no difference to me because my job was to leave no stone unturned to find out who killed the President. With regard to the January 30 memorandum, which was written approximately three weeks after I first came to serve with the Warren Commission, the memorandum, I believe, referred to the question of the accuracy of the rifle. At that time there was an overwhelming array of preliminary evidence which showed that Oswald was the sole gunman. Certainly we had to approach an investigation with that as a very major possibility, perhaps a probability. But as the investigation wore on one of the things that concerned me was whether or not there was just one gunman. And so, at about that time, by the way, as a matter of fact about, oh I'm gonna say five days ahead of that January 30 memorandum I've been going over frames of the Zapruder film. We had asked the FBI lab to make thirty-five millimeter slides, and Life Magazine, as a matter of fact, provided us then with slides with the original.

MR. FINE: We'll gonna be looking at that film a little later on in the show.

MR. BELIN: Well. We could vividly see the fatal shot striking President Kennedy at a frame which we numbered frame 313. We could also see President Kennedy at a point that he was hit; his head appears, or disappears behind a freeway sign that's between the motorcade and the cameraman.

MR. FINE: Dave, as long as we're getting...

MR. BELIN: And...

MR. FINE: ...into that now why don't we look at the film now so maybe...

MR. BELIN: Well, just...

MR. FINE: ...people will be able to see what you're talking about.

MR. BELIN: Well, let me first say it, and then you can look at it,...

MR. FINE: Okay.

MR. BELIN: ...and then we can talk about it...

MR. FINE: Fine.

MR. BELIN: ...because I think we're going to a very basic point which goes to the question of how we on the Warren Commission Report approached the investigation.

You could see that President Kennedy was struck by the time he hit a frame 225. The camera ran at 18.3 frames a second. The gun could not be fired accurately faster than 2 or  $2\frac{1}{4}$  seconds, which meant 40 frames. I felt that if I could prove that Governor Connally was hit closer than 40 frames from the first shot I could prove that